

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Thomas E. Blackman, Jr.,)	Civil Action No.: 3:14-4043-MGL
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
)	
Ms. Stephanie Garrick; South Car. Parole,)	
Pardon & Probations,)	
)	
Defendants.)	
)	

On October 17, 2014, Plaintiff Thomas E. Blackman, Jr., (“Plaintiff”), proceeding *pro se* and *in forma pauperis*, filed this civil rights action pursuant to 42 U.S.C. § 1983. (ECF No. 1). In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2) D.S.C., this matter was referred to United States Magistrate Judge Paige J. Gossett for review pursuant to the procedural provisions of 28 U.S.C. § 1915 and § 1915A . On December 1, 2014, the Magistrate Judge prepared a thorough Report and Recommendation, (“the Report”), recommending that this action be summarily dismissed *without prejudice* and without issuance and service of process, as Plaintiff’s Complaint fails to set out plausible claims for which relief can be granted. (ECF No. 14). Plaintiff filed a “Notice of Appeal,” docketed as an Objection to the Report, on December 15, 2014. (ECF No. 17). The matter is now ripe for review by this Court.

The Magistrate Judge makes only a recommendation to the Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *See Mathews v. Weber*, 423 U.S. 261 (1976). The Court is charged with making a *de novo* determination of any portion of the Report of the Magistrate Judge to which a specific objection is made. The Court may accept, reject, or modify, in whole or in part, the recommendation made by the Magistrate Judge or recommit the matter to the Magistrate Judge with instructions. *See* 28 U.S.C. § 636(b). In the absence of a timely filed Objection, a district court need not conduct a *de novo* review, but instead must “only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” *Diamond v. Colonial Life & Acc. Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005).

In light of the standards set forth above, the Court has reviewed, *de novo*, the Report and Plaintiff’s “Notice of Appeal,” (ECF No. 17), docketed as an Objection to the Report. The Court has undertaken a *de novo* review, even though Plaintiff does not advance any specific objection in his filing but simply conveys his intention to appeal his case to the United States Court of Appeals for the Fourth Circuit. (ECF No. 17). Plaintiff does not meaningfully address the Magistrate Judge’s central determination that Plaintiff’s allegations fail to set out plausible claims for relief pursuant to § 1983.

For these reasons, the Court concurs with the reasoning of the Magistrate Judge and adopts the Report and incorporates it herein by reference. (ECF No. 14). Accordingly, the action is hereby **DISMISSED** *without prejudice* and without issuance and service of process.

IT IS SO ORDERED.

s/Mary G. Lewis
United States District Judge

Columbia, South Carolina
May 13, 2015